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2016 DEC 15 AM 11: 52

December 6, 2016

OFFICE OF GENERAL  
COUNSEL

Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.,  
Washington, D.C. 20463

**MUR # 7206**

Re: Complaint for Campaign violation.  
Unreported contributions/expenditures on  
behalf of Evan McMullin ID: C00623884

Dear Sir:

I am writing to make a complaint against KSL radio and TV and the Deseret News newspaper, both located in Salt Lake City, Utah for making what appear to be unreported contributions/expenditures to and on behalf of presidential candidate Evan McMullin under the guise of bona fide news coverage when in reality it appears that there was an intentional effort to promote the McMullin campaign. In other words these entities appear to have been engaging in "fake news" to promote their preferred candidate. Basis: personal knowledge based on observation of the coverage provided. The amount of coverage given to McMullin was far out of proportion to coverage given to the other independent and small party candidates. Basis: personal observation.

KSL TV and Radio are owned by Bonneville International, the for-profit broadcasting arm of The Church of Jesus Christ of Latter-day Saints (LDS Church). The address for Bonneville International is 55 North 300 West SLC, UT 84101-3502. The Deseret News newspaper is owned by Deseret News Publishing Company, a subsidiary of Deseret Management Corporation, a holding company owned by The Church of Jesus Christ of Latter-day Saints (LDS Church). Their address, not surprisingly, is also 55 North 300 West, 6<sup>th</sup> Floor, Salt Lake City, UT 84101. Basis: personal knowledge, google searches and Utah Department of Commerce searches.

Evan McMullin claimed to be a member of the LDS church during the campaign. In particular, one radio talk show host on KSL continually promoted McMullin during the entire time from August 8, 2016 through the election on Nov. 8, 2016.

It has been reported that the McMullin campaign was orchestrated by New York media personality William Kristol as a way to attempt to derail the Trump campaign. This information came from an August 22, 2016 news story appearing in the Washington Post newspaper written by Josh Rogin. Quote: "Kinzinger had also been recruited by Kristol and others to be the "Never Trump" candidate but ultimately decided not to do it. Kinzinger put McMullin in touch with Kristol. Kristol introduced him to

**Kingston, Scarby and Wilson, who had been setting up infrastructure for a run under the moniker "Better for America."** See page 3 of 4 of the attached article.

Note: The entire article is attached.

KSL and the Deseret News are tightly managed corporate enterprises (which function in tandem with common newsroom and reporters) and it is very unlikely that the non stop promotion of McMullin was a coincidence. Further, it is likely that all of the pro McMullin campaigning by KSL and the Deseret News was approved by station management which means that there are emails in existence directing the station personnel to promote the McMullin campaign. Basis: personal knowledge of station and newspaper operations. Also, the on air personalities are spineless to the point that none would promote anything without express direction from management.

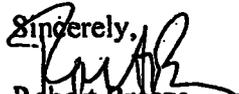
Federal election statutes and administrative rules provide that news coverage does not constitute an expenditure/contribution. However, when the coverage does not constitute a bona fide news story the free advertising constitutes a contribution/expenditure which must be reported. If this coverage was not in fact bona fide news coverage under 11 C.F.R. Sec. 100.73 and Sec. 100.132 and Title 52 United States Code then these entities are in violation for failing to report a contribution/expenditure. Basis: United States Code and Code of Federal Regulations.

A search of the KSL (undifferentiated) and Deseret News (2016) websites shows the following:

<b>KSL</b>		<b>Deseret News</b>	
McMullin	19,900 hits	McMullin	43,200 hits
Johnson	1,980 hits	Johnson	11,100 hits
Stein	2,430 hits	Stein	426 hits

\* The above searches were done on 12-6-2016. Search terms: "Evan McMullin", "Gary Johnson", "Jill Stein".

An administrative order requiring these entities to produce all emails referencing Evan McMullin from KSL and the Deseret News between August 1, 2016 and Dec. 30, 2016 will quickly confirm or dispel whether these entities were engaging in "fake news" with regard to the McMullin campaign which should have been reported as a contribution/expenditure.

Sincerely,  
  
Robert Breeze

292 E. 3900 S. #4  
Salt Lake City, Utah 84107

Tel:  
Email:



The Washington Post

Josh Rogin | Opinion

# The story behind Evan McMullin's run for president

By Josh Rogin August 22

*Correction: An earlier version of this post misspelled the name of Republican operative Rick Wilson. This version has been updated.*

Most Republicans working around Washington are upset by Donald Trump's takeover of their party. Only one decided to actually run for president against their own nominee. But for Evan McMullin, it's not really about the saving the GOP; it's his latest mission to fight what he sees as a threat to America.

The people who drafted McMullin to be the "Never Trump" independent candidate are some of the Republican establishment's most well-known operatives: Bill Kristol, John Kingston, Joel Searby, Rick Wilson. McMullin is an unknown congressional staffer who worked for the CIA, including 10 years undercover, and has no political experience whatsoever. At age 40 he quit his job with no plan for what to do next, assuming he doesn't beat Donald Trump and Hillary Clinton in November.

I've known Evan for several years. Before he decided to run, he asked me for advice. I advised him to think hard about his future before going forward and to consider what he was giving up — a safe job, a position of some respect and influence — all for what was likely to be a short-term adventure followed by another job search.

Why blow up your life for a Hail Mary run at the presidency, I asked him. Why put yourself and your family through the scrutiny and invasiveness that such an effort requires? Someone in the party had to step up to directly oppose Trump, he said.

"Someone needed to do it, it needed to happen soon, and no one else was going to do it," he told me in an interview. "It became a question of whether I would do what I have the opportunity to do and what needed to be done, and at the end of the day I could not say no."

That claim to a sense of duty and patriotism would seem transparently ambitious coming from a politician. From McMullin, it sounds a bit naive. How can one unknown congressional staffer stop Donald Trump with the help of only a few GOP operatives that have failed in that task up to now, despite spending untold millions against him?

To understand that optimism, you have to understand Evan McMullin. Unlike his backers, he's not trying to save the Republican Party or the conservative movement. He's doing what he has always done, volunteering for service to play whatever role he can to fight what he views as a threat to America. In this case, that threat is Trump.

McMullin grew up poor on a small farm in Auburn, Wash., in a religious Mormon family. His mother bought groceries in bulk and sold them out of their garage to make ends meet. She later married a woman, whom she now lives with. (McMullin's family gave me permission to reveal that here for the first time.) He has never had a drink or done any drugs. His upbringing taught him conservatism, discipline and tolerance.

The family's entertainment budget consisted of renting VHS tapes from Blockbuster. In middle school, he saw "Three Days of the Condor" and decided he wanted to be a CIA agent. He reached out to the CIA recruiter in high school and was already working with the agency in college, when the attacks of 9/11 happened. After spending two years in southern Brazil on his Mormon mission, McMullin joined the CIA full time and began working overseas on counterterrorism operations.

After about a decade of service, he decided he wanted a shot at a normal life. He returned to the United States, went to business school and got a job at Goldman Sachs. He volunteered to help out with the Romney campaign part-time. Those connections eventually led to a job working for House Foreign Affairs Committee Chairman Ed Royce (R-Calif.).

While in Congress, McMullin's passion was Syria. Frustrated by what he saw as America's tragic neglect of the suffering of the Syrian people, he was doing everything he could to raise awareness of the Syrian conflict and push Congress to take action. McMullin was instrumental in bringing to Congress a Syrian defector nicknamed "Caesar," who fled his country with more than 55,000 photographs showing evidence of mass torture and murder of more than 11,000 civilians in custody in Bashar al-Assad's prisons.

"It was inspiring to get to know a very honest, simple man who was driven by his convictions that something needed to be done," he said. "That's the sort of thing that I respect and that I would expect from myself."

McMullin has been a strong advocate of supporting the Syrian opposition and protecting Syrian civilians. He played a key role in briefing lawmakers ahead of a vote to authorize President Obama's program to train and equip select Syrian rebel groups. He supports using limited U.S. military force against Assad: "One thing that I understand very well from my CIA days is that dictators create terrorists. That's the reality."

That effort brought McMullin to the attention of party leaders, who promoted him to work for the Republican conference as their policy director, where he worked under Rep. Cathy McMorris Rodgers (R-Wash.). His big project there was a massive Syria sanctions bill that was meant to target Assad and his cronies. The foreign affairs committee approved the bill last month.

Over the last year, McMullin became a loud and sometimes uncomfortable voice inside the Republican leadership

structure arguing against playing nice with Trump. He watched his bosses contort themselves trying to find a way to work with Trump, only to see Trump rebuff them time after time.

Without asking permission from his superiors, McMullin started posting Facebook messages criticizing Trump's policies, including his call for a ban on Muslims and his demonization of Syrian refugees. It was around this time that he started looking for ways to do more to stop Trump.

"At the end of the day, many Republicans felt they needed to respect the wishes of their constituents," he said. "As Trump became the nominee, at each step it became ever clear to me he posed a genuine threat to our democracy and he would be a truly terrible president and worth opposing. It seemed like there was not someone stepping forward."

Rep. Adam Kinzinger (R-Ill.) was deeply involved in the Syria issue and knew McMullin. Kinzinger had also been recruited by Kristol and others to be the "Never Trump" candidate but ultimately decided not to do it. Kinzinger put McMullin in touch with Kristol. Kristol introduced him to Kingston, Searby and Wilson, who had been setting up infrastructure for a run under the moniker "Better for America."

As the discussions progressed, opportunities to get on state ballots were slipping away by the day. After a couple of weeks of reflection, McMullin decided to quit his job and go for it: "I knew no one else was going to be doing it and this was the last moment."

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The effort has had some modest successes. McMullin has enjoyed top-tier media coverage and small donors have given the campaign enough fuel to set up some initial rallies and do the spade work to get McMullin on two ballots so far, Utah and Colorado. They are working on more states now.

But the big Republican donors haven't yet given McMullin the millions he would need to mount a real, national campaign. If he shows progress and gains more traction, that money could start flowing in, but it hasn't yet. Overall, the effort may evolve into something more substantial; but it may not.

McMullin says he hasn't thought about what he will do after the election if he isn't elected president. Even if Trump also loses, there will be a lot of repair work to be done, he said.

"The country is going to have to recover from the damage Donald Trump has done to it, even during the campaign. He has introduced a new attitude of bigotry across the country that's so damaging to us in really tangible ways," he said. "I'm less concerned about any party than I am about the nation having to recover."

His path to victory — preventing either of the major candidates from getting 270 electoral votes and throwing the

election to the House of Representatives — may not be very plausible. But for McMullin, the campaign is really about something much simpler: doing his part to fight what he sees as a threat to this country, as he had done in the shadows his whole career.

Josh Rogin is a columnist for the Global Opinions section of The Washington Post. He writes about foreign policy and national security. [Follow @joshrogin](#)

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"People need to know that this is real," said Jessie Grady, who recorded video of the incident in Chicago. "They need to stand up and do something about it, and say that this is not okay."